

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

CHRIS L. WANTY, STAR E. TIEME,
KAREN A. FORSYTHE, RAFIK FAHIM IMSEITEF,
and SALAM IMSEITEF,

Plaintiffs,

v.

Case No. 05-C-350

MESSERLI & KRAMER, P.A.,

Defendant.

PRELIMINARY APPROVAL ORDER

This matter coming before the Court on the parties' request for preliminary approval of a Class Settlement Agreement ("Agreement") between Class Representatives and Class Counsel with Defendant, Messerli & Kramer, P.A. ("Defendant"), and notice to the Class, the Court being fully advised in the premises,

IT IS HEREBY ORDERED:

1. The Court finds that the proposed Settlement and Release, the terms of which are fully set forth in the agreement, is within the range of fairness and reasonableness and grants preliminary approval to it.

2. The parties stipulate to settlement on behalf of the certified class, which is defined as follows: all natural persons in the State of Wisconsin who were sent a collection letter in the form represented by Exhibit A [to the Plaintiff's Amended Complaint], seeking to collect a debt for personal, family or household

purposes, on or after March 24, 2004, that was not returned by the postal service. The class described above includes 1,510 persons.

3. A hearing on the fairness and reasonableness of the Agreement and whether the final approval shall be given to it and the requests for reasonable attorneys' fees and costs by Class Counsel will be held before this Court on **Thursday, June 5, 2008, at 8:30 a.m.**

4. The Court approves a proposed form of notice to the class, to be directed to the last known address of the class members as shown in Defendant's records. Defendant will mail or cause to be mailed, notice to class members on or before **March 3, 2008**. Defendant will have the notice sent by any form of U.S. Mail. Defendant will also cause the settlement checks to be distributed.

5. The Court finds that mailing of class notice is the only notice required and that such notice satisfies the requirements of due process and Fed.R.Civ.P.23(c)(2)(B).

6. Class members shall have until 45 days from the date notice is mailed to them to object to the proposed settlement. Any class members who wish to object to the settlement must submit an objection in writing to the Clerk of the United States District Court for the Eastern District of Wisconsin, Milwaukee Division and serve copies of the objection on counsel for both Plaintiffs and Defendant by that date. Any objection must include the name and number of the case and a statement of the reason why the objector believes that the Court should find that proposed settlement is not in the best interests of the class. Objectors who


have filed written objections to the settlement must also appear at the hearing and be heard on the fairness of a settlement.

7. In order to receive a portion of the cash payment under the settlement, the class members must complete and return a claim form by 45 days from the date notice is mailed to them. The claim form will be provided with the class notice.

8. Class Counsel shall submit their petition for attorneys' fees and costs on or before **April 28, 2008**.

Dated at Milwaukee, Wisconsin, this 12th day of February, 2008.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J.P. Stadtmueller", is written over a horizontal line.

J.P. Stadtmueller
U.S. District Judge